

REMARKS

Applicants have carefully considered the November 2, 2005 Office Action, and the amendments above together with the comments that follow are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance. Claims 1-33 were pending in this application. In response to the Office Action dated November 2, 2005, claims 8, 15 and 22 have been amended. New claims 34-38 have been added. Care has been exercised to avoid the introduction of new matter. Adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, the depicted embodiments (Fig. 7) and related discussion thereof in the written description of the specification. Entry of the present Amendment is respectfully solicited. It is believed that this response places this case in condition for allowance. Hence, prompt favorable reconsideration of this case is solicited.

Claims 1, 3 and 4 were rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over EP 1063542 A1, hereinafter the “’542 application”. Applicants respectfully traverse the rejection for the reasons outlined below and in view of the remarks previously submitted in the Request for Reconsideration filed March 2, 2006.

Claims 8, 10, 11, 15, 17, 18, 22, 24 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ’542 application. Applicants respectfully traverse the rejection for the reasons outlined below and in view of the remarks previously submitted in the Request for Reconsideration filed March 2, 2006.

Claims 2, 5, 6, 9, 12, 13, 16, 19, 20, 23, 26, 27 and 29-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ’542 application and further in view of EP 1130428 A1,

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hereinafter the “428 application”. Applicants respectfully traverse the rejection for the reasons outlined below and in view of the remarks previously submitted in the Request for Reconsideration filed March 2, 2006.

As admitted by the Examiner on page 7 of the final Office action, the ‘542 application does not disclose the claimed accumulated chromatic dispersion and housing volumes of claims 8, 15 and 22. Applicants have amended claims 8, 15, and 22 to further define the upper limit of the accumulated chromatic dispersion.

Claim 8 has been further amended to recite, in pertinent part, a optical component having an accumulated chromatic dispersion of -600 ps/nm or more but less than -300 ps/nm at a wavelength of 1.55 μm ; and a housing having a volume of 310 cm^3 or less for accommodating the optical component.

Claim 15 has been further amended to recite, in pertinent part, an optical component having an accumulated chromatic dispersion of -300 ps/nm or more but less than -180 ps/nm at a wavelength of 1.55 μm ; and a housing having a volume of 260 cm^3 or less for accommodating the optical component.

Claim 22 has been further amended to recite, in pertinent part, an optical component having an accumulated chromatic dispersion of -180 ps/nm or more but less than -80 ps/nm at a wavelength of 1.55 μm ; and a housing having a volume of 200 cm^3 or less for accommodating the optical component.

In the Advisory action dated March 17, 2006, The Examiner maintained that a shorter length of the ‘542 application’s dispersion compensating optical fiber (DCF) can be used to obtain the accumulated chromatic dispersion values as claimed. Applicants respectfully traverse the

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Examiner's conclusion and respectfully request reconsideration and withdrawal of the above rejections under §§ 102 and 103.

Applicants submit that the relationship between negative chromatic dispersion and bending loss is a trade-off. This relationship between the negative chromatic dispersion and the bending loss is evident from the drawings Figures of the '428 application. The trade-off relationship is graphically depicted in Figs. 5A and 5C of the '428 application. In view of the fact that a trade-off relationship exists between the negative chromatic dispersion and bending loss, it should be clear that a volume cannot be simply reduced even if the value for the chromatic dispersion is set small (increasing an absolute value of negative chromatic dispersion).

The present claimed subject matter is characterized by suppressing a volume of the dispersion compensator by winding the DCF to a smaller diameter. At the time that the DCF is wound to a smaller diameter, its transmission loss does not increase, or at least can be suppressed to a minimal increase.

In view of the foregoing remarks, together with the remarks submitted in the Request for Reconsideration of March 2, 2006, Applicants respectfully request reconsideration and withdrawal of the rejections.

Claims 7, 14, 21, 28 and 33 were objected to as being allowable if recast in independent form. Applicants submit that for the reasons outlined above, claims 1-38 are in condition for allowance. Moreover, Applicants note the Examiner's Statement of Reasons for Allowance included on page 10 of the Office action. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the reasoning stated by the Examiner. Applicants positions on the issues appear in Applicants' response. The Statement of Reasons for Allowance should not be used to interpret the cited claims, particularly to the extent

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if any that the Statement of Reasons for Allowance may differ from the express language of the claims and/or Applicants' positions on patentability of those claims. It is respectfully submitted that the allowed claims should be entitled the broadest reasonable interpretation and broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and Applicants' prosecution of the claims, without reference to the Statement of Reasons for Allowance.

It is believed that pending claims 1-38 are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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